

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney James M. Heslin on June 18, 2008.

The application has been amended as follows:

Claim 130 has been cancelled.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach or to fairly suggest:

a tubular insert for removable connection to a receiver module of a hearing device, wherein the receiver module is at least partially inserted into the ear canal and is removable from the ear canal;

and wherein the tubular inset is provided with a first and a second appendage; wherein the first appendage provides an acoustically sealed space within the bony area of the ear canal and wherein the second appendage provides an acoustically sealed space within the cartilaginous area of the ear canal; and further wherein the second

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appendage includes vent means for directing occlusion sounds away from the tympanic membrane;

and wherein the first and second appendages are spaced apart when worn in the ear canal such that the second appendage is in the cartilaginous part of the ear canal and the first appendage is in the bony part of the ear canal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DIONNE H. PENDLETON whose telephone number is (571)272-7497. The examiner can normally be reached on 10:30-7:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dionne H Pendleton/
Examiner, Art Unit 2627

/Wayne Young/
Supervisory Patent Examiner, Art Unit 2627